

**THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

HOUSTON REAL ESTATE PROPERTIES,

LLC,

Debtor.

Chapter 11

Case No. 23-03141

EMERGENCY MOTION TO COMPEL TESTIMONY OF OMAR KHAWAJA

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY

Emergency (or expedited) relief has been requested. If the Court considers the motion on an emergency (or expedited) basis, then you will have less than 21 days to answer. If you object to the requested relief or if you believe that the emergency (or expedited) consideration is not warranted, you should file an immediate response.

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

COMES NOW Ali Choudhri and files this Motion to Compel Testimony of Omar

Khawaja at the hearing on Ali Choudhri's Motion to Disqualify/Recuse Judge Jeffrey P. Norman and would respectfully show the Court as follows:

REQUESTED RELIEF

Ali Choudhri seeks to compel the testimony of Omar Khawaja at the hearing on Mr. Choudhri's Motion to Disqualify/Recuse Judge Jeffrey P. Norman. Mr. Khawaja has personal knowledge of Judge Norman's bias against Mr. Choudhri and can provide testimony as to extrajudicial statements that Judge Norman made to him regarding Mr. Choudhri's reputation in the community as a "fraudster." *See* Exhibit A, September 11, 2024, Deposition of Omar Khawaja. This evidence clearly speaks to Judge Norman's bias against Mr. Choudhri and is therefore highly relevant to Mr. Choudhri's case-in-chief. Additionally, Mr. Khawaja has no legal reason not to appear and provide testimony or to otherwise withhold any testimony from the Court. Accordingly, the Court should compel Mr. Khawaja's presence at the hearing to provide testimony. Moreover, Mr. Khawaja was previously served with process and appeared at the hearing on this matter on December 6, 2024. *See* Exhibit B, Transcript from December 20, 2024 Hearing. As Mr. Khawaja has previously appeared at this hearing, the Court has authority to order his presence at subsequent continuations of this matter.

Furthermore, Ali Choudhri has employed the services of a process server, Larry White, to find and serve witness Omar Khawaja to appear at the hearing. As mentioned, Omar Khawaja has key facts relevant to Judge Norman's bias against Ali Choudhri. Based on representations of Mr. White, Omar Khawaja is intentionally avoiding service of process. *See* Exhibit C, Affidavit of Larry White. Apparently, Mr. Khawaja is aware that Mr. White is attempting to lawfully serve him, but Mr. Khawaja has engaged in evasive action to avoid being served. In fact, Mr. Khawaja's wife informed Mr. White that Mr. Khawaja is aware Mr. White is trying to find him for purposes of effectuating service of process, but that her husband is intentionally avoiding him. Mr. Khawaja's testimony is very important to establish extrajudicial conduct demonstrating Judge Norman's bias

against Ali Choudhri, and without this testimony Mr. Choudhri will not be able to adequately put on his case-in-chief. Therefore, the court should grant Mr. Choudhri

PRAYER

WHEREFORE, PREMISES CONSIDERED, Ali Choudhri respectfully requests that the Court grant Mr. Choudhri's Emergency Motion to Compel the Testimony of Omar Khawaja and order Mr. Khawaja to appear and provide testimony at the hearing on Mr. Choudhri's Motion to Disqualify/Recuse Judge Jeffrey P. Norman.

Respectfully submitted,

Isl Ali Choudhri

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 30th day of January 2025, a true and correct copy of the foregoing was served on the following in accordance with the CM/ECF e-filing system, and upon all others who have consented to service in this case by registering to receive notices in this case through the CM/ECF e-filing system.

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/s/ Ali Choudhri
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